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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**IN RE:**

<b>RICHARD THOMAS GREEN JR</b>	§	<b>CASE NO. 25-10106</b>
<b>ADRIANA C. GREEN</b>	§-	
<b>Debtor</b>	§	<b>CHAPTER 13</b>
	§	

**DEBTOR'S RESPONSE TO TRUSTEE'S OBJECTION TO CONFIRMATION OF  
PROPOSED CHAPTER 13 PLAN AND REQUEST FOR INTERIM DISBURSEMENT**

TO THE HONORABLE JUDGE OF THIS COURT:

COME NOW **Richard Thomas Green, Jr. and Adriana C. Green**, (Hereinafter referred to as "Debtor" whether singular or plural), and files this Response to the Trustee's Objection to Confirmation of Proposed Chapter 13 Plan, of Debbie Langehennig, Standing Chapter 13 Trustee, ("Movant"), and in support hereof would respectfully show the Court as follows:

1. Debtors filed their Chapter 13 Petition on or about 1/27/25. On the Petition Date, Debtors also filed their Pay Advices including paystubs for joint Debtor Adriana Cordeiro Green through 12/31/24.

2. The Trustee requested additional paystubs through the Petition Date, specifically Joint Debtors paystub for 01/15/25. Debtor provided the requested paystub on or about 03/26/25, and Amended Pay Advice was filed on 4/8/25 (Doc 27), approximately 71 days after the Petition Date.

3. The Trustee urges the Court to dismiss this case; and argues that the case is deemed automatically dismissed for failure to file pay advices under Section 521(i)(1), or in this case incomplete pay advices (missing 1 pay advice). Citing *In re Ball*, 2013 Bankr Lexis 2199 (Bankr WD Tex 2013; *In re Hall* 368 B.R. 595 (Bankr W.D. Tx 2007).

4. However, Debtor urges the Court not to Dismiss this case, and retain jurisdiction over the Chapter 13. Local Rule 1017-1 ( c) provides the Court *may* enter an order dismissing; further Local Rule 1007(d) the Court may extend this deadline. The Debtor asserts that filing of incomplete (missing 1 paystub) pay advices is excusable neglect. Debtor has accurately disclosed income to creditors. Debtors have proposed their Chapter 13 Plan in good faith. Debtors request the Court find that dismissal is not automatic; or alternatively extend the deadline for supplementing pay advices in this case. *See also Inre Lopez*, 09 – 31511 (Bankr W.D Tex 2009)

5. Debtors have provided the required Domestic Support obligation form.

6. Counsel inadvertently produced tax returns to the Trustee, that were not fully redacted. Upon information and belief , the returns were discarded by the Trustees office. They Debtors have been advised of the disclosure; and returns have been re-submitted fully redacted.

7. Counsel asserts that there is no basis for refund of fees in this case, and requests that the Trustees request be denied.

**WHEREFORE, PREMISES CONSIDERED,** Debtor prays that the Trustee's Objection to Confirmation of Proposed Chapter 13 Plan be overruled, and for such other and further relief to which the Debtor himself may show entitled.

Dated: May 6, 2025

Respectfully Submitted,

/s/ Nicholas C Inman

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## **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing Response to the Trustee's Objection to Confirmation of Proposed Chapter 13 Plan was served on each party listed below, by First Class Mail, on May 7, 2025.

### **CHAPTER 13 TRUSTEE**

Deborah B. Langehennig  
PO Box 91419  
Austin, TX 78709

### **U.S. TRUSTEE**

Office of the United States Trustee  
903 San Jacinto, Suite 230  
Austin, TX 78701

### **DEBTOR**

Richard Thomas Green, Jr.  
Adriana C. Green  
1112 League Line Road  
Paige, TX 78659

By: /s/ Nicholas C Inman  
Nicholas C Inman